



## Correction

CONSUMER NEWS Oct. 1 told its readers that checks—for \$22—for luncheons to the Consumer Telephone Workshop on Dec. 11-12 should be made out to **Health, Education and Welfare Dept.** Instead, they should be made out to the Shoreham Americana Hotel and sent to Consumer Telephone Workshop, US Office of Consumer Affairs, 621 Reporters Bldg., Washington, DC 20201. As we mentioned before, space is limited, so please make reservations for the conference as soon as possible even if you do not plan to attend the luncheons. For more information call Sylvia Solhaug; telephone 202-755-8877.

## OCA contracts awarded

The US Office of Consumer Affairs (OCA) has announced awards of contracts for studies of the effect of (1) the Supreme Court's 1976 ruling permitting advertising of prescription drugs and (2) the impact of electronic fund transfer (EFT) systems on low-income consumers.

Following a competitive bid process, the Virginia Citizens Consumer Council/Foundation (VCCC/F) has been awarded a \$1,500 contract to determine what effect, if any, the Supreme Court's striking of a Virginia law which prohibited prescription drug advertising has had on the availability of prescription drug price information to Virginia consumers. VCCC/F will review drug ads for 8 weeks in the principal newspapers of the Virginia cities of Richmond, Norfolk, Alexandria and Roanoke. The final report on the study will include the quantity and quality of prescription drug price information found, as well as indications, if any, of needs for further consumer information or education efforts by industry or government.

Also as the result of a competitive bid process, a \$17,050 contract has been awarded to the National Social Science and Law Project (NSSLP) to gather data on the present and potential impact of EFT systems on low-income consumers. Because EFT systems—e.g., automatic payroll deposits, telephone payments, automated tellers, point of sale systems—replace cash, checks and credit cards, their significance to consumers generally has been much discussed. There is concern that low-income consumers will be excluded from EFT systems which may, sooner or later, replace all other payment systems, including cash. The NSSLP study will explore the legal, social and economic implications of EFT for the needs, consumer behavior, and attitudes of low-income consumers.

Vol. 8, No. 20, Oct. 15, 1978

## Consumer representation on state licensing boards

Concern about the effectiveness of consumer representation on state and local licensing boards is growing. For example, in 1976, California passed a law that places a majority of public members on most of the 38 boards in its **Department of Consumer Affairs**. In addition, 29 states now have public members on one or more boards—usually one or 2 per board.

More recently, the **Maryland Citizens Consumer Foundation** and the **Consumer Council of Maryland** were awarded a \$40,000 grant by **Health, Education and Welfare Dept.'s Office of Consumers' Education** for developing a model training program to teach Maryland consumers to be effective representatives on state licensing boards. The state of Maryland is contributing \$17,000 to the project.

The idea for the project, called "Effective Consumer Representation" (ECR), grew out of a Consumer Council study of consumer representatives already serving on occupational and professional licensing boards in the **Maryland Department of Licensing and Regulations**. The study, which examined the participation and effectiveness of consumer representatives on their respective boards, revealed that those representatives often lacked the training and expertise necessary to make them competent consumer advocates. To address these problems, the ECR project will develop a 2-day training program which is intended to provide consumer members with assertiveness skills, a basic knowledge of the regulatory process and consumer protection in Maryland. Maryland's training program will serve as a pilot—and if successful will provide a model for duplication nationally.

In addition to endorsing training programs such as ECR, Esther Peterson, Special Assistant to the President for Consumer Affairs and Director of the **US Office of Consumer Affairs**, wants more public members represented on the licensing boards. As she will point out in an Oct. 17 speech before members of New York state professional licensing boards and the New York Board of Regents, trade and professional groups for many years fostered the idea that "only members of their own occupational group were qualified to make judgments about entrance standards, examination content, or disciplinary matters." Now, however, consumers have challenged this view and argue that they have a right to share in the decisionmaking process.

Although she feels the number of representatives is important, Mrs. Peterson will point out that quantity is less important than the quality of the individuals appointed and that "in places where public members seem to be having a meaningful impact, the appointing authority has made a strenuous effort to find people with backgrounds that will equip them to deal with issues likely to come before the board; with a strong interest in serving; and with enough time to devote to board activities."

Finally, Mrs. Peterson will stress the issue of board accountability and voice her concern about "the fact that autonomous boards continue to exist in many states and that such autonomy makes policy coordination and public accountability very difficult. She has found that boards are often housed in their own buildings and generate their own revenue and that trade and professional associations often have the power to nominate board candidates.

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## US health spending for FY '77

The nation spent \$163 billion for health care in fiscal 1977, or \$737 per person, according to preliminary figures compiled by **Health, Education and Welfare Dept.** The figures show a 12% increase over the past 12 months compared with a 10.2% increase in the gross national product (GNP). Health expenditures increased from 8.7% of the GNP in 1976 to 8.8% in 1977.

## FCC workshops

**Federal Communications Commission's (FCC) Consumer Assistance Office** is beginning a series of Public Participation Workshops in cities across the country. The one-day workshops will concentrate on the practical skills and mechanics of participating in FCC rulemaking proceedings, and highlight one major issue before the Commission. The October-November workshops will focus on the inquiry into Children's Television Programming and Advertising Practices. [See Children's TV in this issue of CONSUMER REGISTER.]

Remaining workshops, locations, and contact persons are:

Los Angeles Oct. 21 and 23  
UTA Building  
(Grace Poirier) 213-426-4451

San Francisco Oct. 25  
Board of Education Building  
Van Ness Ave.  
(Ney Landry) 415-556-1224

Atlanta Nov. 6  
Dunfee's Royal Coach Inn  
I-75 at Howell Mill Rd., NW  
(Carl Pyron) 404-221-6500

During the morning sessions, the staff from the Consumer Assistance Office will provide information which explains in basic detail: how to participate in various FCC proceedings; what format to use in filing comments; what information is available from the FCC and how to get it; how to find out what FCC is doing to improve its rulemaking processes.

In afternoon sessions, members of the Children's TV Task Force will explain issues raised by the children's TV inquiry and focus on those questions which the general public can easily speak to.

Workshops are open to the public on a first-come, first-serve basis, with a maximum of 100 participants per workshop. Persons affiliated with an organization, institution or association interested in taking part in FCC proceedings in general, and the children's TV inquiry in particular, are specifically encouraged to attend.

Anyone having questions about the workshops is encouraged to contact Susan Greene; telephone 202-632-6312.

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## Licensing boards (Continued from page 2)

"These practices contribute to the notion that the board is an extension of the association rather than an arm of state government." She will suggest that states consider the umbrella agency approach as a solution to this problem—an agency that "must be given the power to review proposed board actions from a public interest viewpoint."

In concluding, the President's consumer advisor will cite the "growing recognition among consumers of the urgent necessity for making occupational regulation work as efficiently and effectively as possible. They now recognize, more than ever, the relationship between licensing and the cost of services, and they're asking tough questions. . . ."

## Flood insurance

Although next year's spring rains do not yet pose a threat to flood-prone areas—and the hurricane season is virtually over—now is the time for homeowners living in such areas, to check on their eligibility for low-cost disaster protection under the National Flood Insurance program administered by **Housing and Urban Development Dept. (HUD)**. In return for obtaining low-cost insurance, communities certified by HUD to be in a flood hazard area must carry out local flood plain management measures to protect lives, homes and businesses from future flooding.

Congress created the flood insurance program in 1968 because for years building dams, levees and seawalls was about the only way flood victims were provided relief. In addition, the public could not buy flood coverage from insurance companies, and building techniques to reduce flood damage to new construction were often overlooked.

The program has now grown from fewer than 3,000 communities and 275,000 homeowners participating in 1972, to over 16,000 communities and more than one million policyholders in 1978. Since the program began, more than 100,000 claims amounting to over \$400 million have been settled by the program.

Questions on community eligibility for the National Flood Insurance program can be answered by calling HUD at 800-424-8872 toll-free. Individual homeowners may obtain information on the program by contacting their insurance agent or calling HUD toll-free at 800-638-6620. A revised booklet answering questions about National Flood Insurance is available free. Write for *Questions and Answers - National Flood Insurance Program* to Federal Insurance Administration, Housing and Urban Development Dept., Washington, DC 20410.

## X-ray and vaccination card

A wallet-sized personal record of X-rays and vaccinations is available free from the **Food and Drug Administration (FDA)**. The card is helpful in avoiding excessive exposure to radiation and duplication of recent X-rays. (Overuse of X-rays can pose a health hazard and cost a patient unnecessary expense. Since X-rays need not always be a part of routine or screening exams, a patient should ask for an explanation of how an X-ray ordered by a doctor or dentist will help with the patient's diagnosis. Generally speaking, X-rays should not be taken unless they will be of some help.) The card also provides easy reference to dates and types of vaccinations received.

Individuals may request cards for each member of their families, and small organizations and businesses wishing to distribute the cards may obtain up to 100 cards free of charge. A camera-ready copy of the card is also available for duplication in large-scale distribution efforts. Write to Bureau of Radiological Health (HFX-70), FDA, 5600 Fishers Lane, Rockville, MD 20857.

## Moped mania

Mopeds are quickly becoming as popular in the US as they were in Europe after World War II. A moped is a bicycle-like vehicle which can be pedaled or moved by its single cylinder engine, usually rated at between one and 2 horsepower (hp), and capable of a speed of up to 30 miles per hour—while using very little gasoline. Mopeds are being used as substitutes for second cars—taking business executives to work, shoppers to market, and students to class.

There are many different models of mopeds on the market, the overwhelming majority powered by gasoline-combustion engines of one, one and one-half or 2 hp strength. Depending on model and brand, the cost of a moped can range from \$300 to \$700. Mopeds lack automobile-type starters. Instead, they are started by pedaling a few yards to activate the motor, the main function of the pedals, as the pedals can only move the machines very slowly.

While mopeds have only one-gallon tanks, their mileage averages between 150 and 200 miles per gallon. Most moped maintenance is relatively inexpensive and can often be undertaken by the owner with the right tools. A general overhaul, which should be done every 1,000 to 3,600 miles, according to manufacturers' specifications, costs approximately \$18 to \$30. Since most mopeds have no separate lubrication systems, they need a few ounces of oil added to each tank of gas.

Because mopeds are a relatively new form of transportation in the US, it has taken rules and regulations a while to catch up with their popularity. As of now, most states have laws that apply to mopeds, and 38 states and the District of Columbia have special moped laws. In aggregate, about 90% of the US population is covered by specific state moped laws. Forty percent of the "moped states" have no registration fee for mopeds; the others set fees from \$3 for 2 years (Massachusetts) to \$12 annually (Illinois). Many of the states have chosen 16 as the minimum age to operate a moped, while 10 others have chosen 15 as the minimum age. About 85% of the moped states require operators to have valid drivers' licenses—and 15 states offer special moped permits for those who do not have any other type of drivers' licenses. Only one state, New Jersey, requires that drivers know how to drive a moped before it will issue a license. Since mopeds cannot be driven faster than 30 miles per hour, they are usually banned from high-speed roads.

Because of worldwide moped popularity, a number of safety studies have been undertaken. *Consumer Reports*, a **Consumers Union (CU)** magazine, published an in-depth study in its June 1978 issue, comparing different brands of mopeds for quality, general reliability and safety. CU found that, on the whole, mopeds are quite reliable and economical. The low-speed capability of the moped clearly diminishes the risk of severity of accidents. But low speed can be a hazard if drivers are unable to keep up with city traffic, a factor that dictates that mopeds be driven defensively at all times.

In terms of safety regulations, the moped falls somewhere between bicycles and motorbikes. The **National Highway Traffic Safety Administration (NHTSA)**, which regulates safety requirements for mopeds, recently classified mopeds as separate from motorcycles, thus eliminating the extra safety, and extra cost, of the strict standards for the higher powered machines. This means, for example, that at present only New York requires moped riders to wear safety helmets, although most states and CU recommend them.

Along with their advantages, mopeds have some drawbacks, including:

- They are fair-weather machines, and will not be safe or comfortable in rainy or cold areas.

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## Cyclamates—again

Cyclamates have not been proven to be safe and the 8-year old ban on the artificial sweetener is justified, according to a recent ruling by an administrative law judge.

The decision, from Judge Daniel Davidson, said that "while cyclamate has not been proven to be a carcinogen or a mutagen, numerous questions have been raised concerning the potential carcinogenicity and mutagenicity of cyclamates. The record consists of several positive (test) results which have not been satisfactorily explained. Accordingly, the record will not support a finding that cyclamate has been shown to be safe."

Abbott Laboratories, Inc., sole manufacturer of the sugar substitute, may now file "exceptions" to the "initial decision," which will be reviewed by **Food and Drug Administration (FDA)** for a final decision.

After being banned in 1970, Abbott petitioned for FDA approval of cyclamates as a food additive in 1973. The FDA, backed by a **National Cancer Institute** report and other information, denied the petition in 1976. Davidson's recent ruling resulted from Abbott's request for a hearing following the 1976 decision.

A final ban on cyclamates will leave saccharin as the only non-nutritive artificial sweetener on the market, although even saccharin may be banned by mid-1979, since a 1977 FDA ruling determined that the sweetener was carcinogenic. Additional study on the safety of saccharin for human consumption continues while all products containing the substance must carry a warning notice of its ability to cause cancer in laboratory animals.

## Warning!

• **National Highway Traffic Safety Administration (NHTSA)** is warning owners of 1971-1973 Toyota Corolla and Carina vehicles with 1600 cc engines that the throttles in these vehicles may stick suddenly in the open position while the vehicle is being driven. This condition can result in a driver's loss of control. NHTSA said that, although none of its reports involve personal injury or property damage, there are indications that the problem can develop without warning. **WHAT TO DO:** If you have experienced a problem with the throttle sticking, describe the problem in writing and send to NHTSA, Office of Defects Investigation, Washington, DC 20590. Or call NHTSA's toll-free Auto Safety Hotline: 800-424-9393. In the Washington, DC metropolitan area call 426-0123.



## Recalls

• **FANS—Consumer Product Safety Commission (CPSC)** has announced the recall of 72,000 portable electric fans manufactured by the Vernco Division of the Emerson Electric Co., Columbus, IN. Two minor injuries have been reported to CPSC, which says that the fans may overheat and catch fire. Involved are 13-inch and 19-inch models manufactured in 1973 and 1974 with a plastic fan guard and a circular plastic base. Approximately 75% of the models were sold by Sears, Roebuck & Co. stores nationwide, are light green in color, and have the initials 'SR' in the center of the fan guard. Other models are light blue and have the Vernco name on the fan guard. All the fans carry a 5-digit date code ending with the numbers 3 or 4. Sears models have either serial numbers 758.80530 or 758.80550, and the Vernco carries numbers V-1001 or V-1003. Both the date and the model number are on the bottom of the base. **WHAT TO DO:** Return the fans to the place of purchase for repair or replacement. For verification of the model numbers call CPSC's toll-free hotline 800-638-2666. In Maryland only call 800-492-2937.

• **NASAL SPRAY—Ail Sinex**—brand regular and long-acting nasal sprays have been voluntarily recalled by Richardson Merrell, Inc., because tests revealed "unacceptable levels of bacteria" in some production lots. Company officials say the recall of an estimated 7 million units is precautionary, and poses no general health hazard. **WHAT TO DO:** Return the product to Manager of Consumer Affairs, Richardson-Merrell, Inc., P.O. Box 8155, Philadelphia, PA 19101.

## Mopeds (Continued from page 3)

- Their small engines can be "anemic," the CU study found, especially with heavier riders.
- CU found that none of the moped models it tested could reach their top designated speeds.

While mopeds will probably never replace the car, they can be an inexpensive, efficient source of transportation, especially for commuting, running errands, etc., in favorable weather.

For more information about mopeds, in addition to the article in *Consumer Reports*, write to the Moped Association of America, 1001 Connecticut Ave., NW, Washington, DC 20036.

## Sugar price supports

The House of Representatives has voted to enact HR 13750, the Sugar Stabilization Act of 1978. The bill would support sugar prices at 15¢ per pound initially, with adjustments in the market price made at the same rate as production costs increase. The Administration estimates that this bill, if enacted into law, would cost consumers—over its 5-year life—about \$1.7 billion more than the program backed by the Administration and \$3.6 billion more than the original Administration proposal. [See CONSUMER NEWS May 1 for background story.]

At CONSUMER NEWS presstime the Senate was expected to take up its version of sugar legislation (S 2990). This version is expected to include provisions to set the market prices even higher than the House version—at about 17¢ per pound the first year—and have a more rapid escalation over the next 5 years. The consumer cost of S 2990 would, according to **Agriculture Dept.** estimates, exceed the House-passed version by \$3 billion.

There have been several indications that neither version of the legislation would be acceptable to the President and would be subject to a veto. At least one consumer group, **Consumer Federation of America**, has already publicly called for a veto of the House version if it reaches the President's desk.

CONSUMER NEWS is published the 1st and 15th of each month by the US Office of Consumer Affairs to report Federal Government programs for consumers. Use of funds for printing this publication through Sept. 30, 1979, approved by Office of Management and Budget. Authorization to reproduce any or all items is granted. Editorial address is CONSUMER NEWS, US Office of Consumer Affairs, 621 Reporters Bldg., Washington, DC 20201; Howard Seltzer, Acting Director of Public Affairs (202) 755-8810; Marion Q. Ciaccio, Managing Editor (202) 755-8830. Sold by Consumer Information Center, Pueblo, CO 81009; subscription \$6 a year, payable to "Supt. of Documents." Send address change to Supt. of Documents, Government Printing Office, Washington, DC 20402.

UNITED STATES  
OFFICE OF CONSUMER AFFAIRS  
WASHINGTON, D.C. 20201

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300

CNEW SERIA300S ISSDUE024R 1  
SERIALS PROCESSING  
XEROX/UNIV MICROFILMS  
300 N ZEEB RD  
ANN ARBOR MI 48106

US GOVERNMENT PRINTING OFFICE: 1979 260-929/3  
DHEW PUBLICATION NO. (OS) 79-108

POSTAGE AND FEES PAID  
U.S. DEPARTMENT OF H.E.W.  
391

First Class



Consumer News: Oct. 15, 1978